

TWENTY-SIXTH DAY

(Monday, March 1, 1943)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Bullock	Moffett
Chadick	Moore
Fain	Morris
Formby	Ramsey
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 25, 1943, was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Shivers was granted leave of absence for today on account of important business, on motion of Senator Weinert.

Senator Cotten was granted leave of absence for today on account of illness, on motion of Senator Chadick.

Report of Committee to Investigate Shortage of Feeds

Senator Brownlee submitted at this time the following report:

Austin, Texas,
February 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: Your committee appointed [pursuant to Senate Resolution 11] to investigate the protein feed shortage in the State of Texas begs leave to report that it has held several hearings, bringing before it a number of witnesses, and your committee believes, from the evidence placed before it, that the following facts are true:

1. That a critical situation exists in the State of Texas today which threatens the economic existence of our farmers and ranchmen due to the absolute lack of supplies of protein feeds necessary to keep their stock alive, their ability to produce the food and animal fiber required in the war effort as demanded by the United States Government, and which threatens the economic welfare of the stockyards, packers, retailers and consumers, as well as the health and nourishment of our people in every section of the nation.

2. That the government program setting forth quotas for the production of meat, milk, mohair, wool, fats and other food supplies cannot be complied with by the farmer and stockman unless he is able to purchase the necessary amount of protein products to feed the livestock and poultry he has on hand at the present time; that the amount of protein feed necessary to feed the cattle, sheep and all livestock is double the tonnage that can be produced from the cottonseed and peanuts available in Texas for crushing under present conditions and Federal regulations.

3. That it is very necessary at the present time and in the next three months to feed mother cows and ewes a sufficiency of protein so as to preserve the strength and vigor of this year's calves and lambs until grass time; that unless such protein is available, the death toll among mother cattle and sheep, as well as this year's crop of calves and lambs, will be tremendous.

4. The evidence shows that practically all of the cotton seed produced from the 1942 crop has been crushed, sold and used, and that the supply of cake and meal from said crop has been absolutely consumed.

5. The evidence shows also that there are two other sources of high protein concentrate feeds perhaps available, to-wit, peanuts and soya beans; but that a large part of the peanut production in Texas is being stored and not being shipped to the mills for immediate crushing, and that soya beans, mostly produced farther north in the United States, are being shipped to Texas mills on a strict ration basis. That the government estimate of the soya bean crop of 1942 was 209,000,000 bushels,

and their record shows that on January 1st, only about 60,000,000 bushels of this crop had reached the terminal markets, leaving, if their figures are correct, 149,000,000 bushels which should be still available if they could be released to the mills. The estimate is that each bushel of soya beans will produce about 48 pounds of protein feed; that therefore if soya beans which have not reached the market were crushed, they would produce more than three and a half million tons of protein feed, which would relieve to a great extent the above mentioned critical situation. This committee also believes that a large amount of protein feed will be added to the above if all peanuts which are held in storage are crushed.

6. The evidence indicates that the claim of some retail dealers that the mills are holding back protein feeds in order to break the ceiling price is in error, and that the mills have manufactured and delivered all supplies of the raw produce that have been available to them, and that the mills are exerting every effort in their power to obtain more supplies and furnish them to the retailer for the benefit of the farmer and ranchman; that the situation is partly caused by an increased demand due to the expanded production requirements of the Federal government to meet the increased needs brought about by the war program.

Products which are critically short amount to about 850 pounds from every 1500 pounds of seed cotton. They are: 400 pounds of cottonseed meal, a concentrated protein feed needed to feed livestock to produce the "Food for Freedom"; 240 pounds of cottonseed hulls, a livestock feed and also an essential material in making aviation gasoline and synthetic rubber; 130 to 140 pounds of cottonseed oil, a fat so scarce that housewives are being urged to save the "drippings" from their cooking; and 80 pounds of cotton linters, classified by the War Production Board last October as "critical short war material" and used in making munitions because one bale of linters supplies powder to fire 100,000 bullets. (Neither soybeans nor peanuts supply cotton linters.)

The Cotton Belt can produce these materials more efficiently than any

other crop for many reasons. All of our warehousing, transportation and manufacturing and handling facilities have been designed to serve cotton production. Prior to the cotton control program, the South planted 40 to 45 million acres in cotton and has produced 19 million bales in one year. During normal periods, the Cotton States should probably limit acreage to 27 to 30 million acres. In time of war, the South should not only be permitted but urged to grow the crop that it is best qualified to produce. Our soils and climate are better adapted to cotton than to other crops; cotton's proved ability to withstand drouth, excessive heat, insects and other pests makes cotton the most dependable source of these materials in the cotton-growing area. Farmers know how to grow cotton, and have the machinery and equipment to handle it. Gins are already available to gin cotton. Oil mills of the Cotton Belt have the facilities to handle twice as much cottonseed as is now being produced. For these reasons, the resources of the Cotton Belt can be used most efficiently to produce needed war materials, and will be most dependable in war production, only if they are permitted to grow more cotton.

7. That there will be further shortage of many tons of protein feeds during 1943 unless an additional source is found from which to produce these feeds.

8. The evidence also shows that cottonseed is one of the principal sources not only of animal food, but also food for human consumption, and that the Federal government is restricting the production of cotton, and therefore, of cotton seed, and that in order to comply with the requirements of the government for the army and civilian population, as well as the production of this high protein product, it is only sensible that the acreage in cotton should be substantially increased to offset, as far as possible, the certain shortage threat of 1943.

9. That Texas, in cotton production and in the production of beef cattle, supplies a large part of the meat protein for our fighting forces, our allies and our people at home, and that the acreage for cotton planting should be substantially increased

not only in Texas, but over the entire Cotton Belt. Your committee believes that the evidence shows the indications are that under the Triple A program, the same amount of cotton will be planted in 1943 as was planted in 1942, to-wit, between twenty-two and twenty-three million acres. That 1942 was a good year from a rainfall standpoint, but that most of the cotton growing section of Texas is now in a drouth condition, and that unless copious rains fall within a short time, not only cotton but all other crops may be short in 1943. That cotton is not only a fiber crop, but is also a source of meal and cake, which comprise one of the nation's major items of protein food for livestock and dairy cattle, and that the larger the output of cake and meal, the more abundant is the supply of meat and milk; that cottonseed is important also to the munitions industry, as linters, which are removed before the seed is crushed, are one of the best ingredients for the manufacture of explosives; that cottonseed also produces many other products, such as edible oils, which are a valuable and substantial part of the diet of the people of the nation.

10. That the government is paying subsidies for the growing of peanuts, soya beans, potatoes and certain vegetables, while the facts are that for every 1500 pounds of seed cotton that goes to the gin, there is produced about one thousand pounds of cottonseed; that before the present war the average world consumption of American cotton was only about thirteen million bales per year, and this country alone is now consuming nearly twelve million bales per year, or about twice as much as in peace time, and that it is entirely possible that after the war there will be such a demand for lint cotton that there will be a shortage, and that while a surplus of cotton fiber was embarrassing in the past, we are now in war and different conditions exist; also that the food shortage is such that food is so scarce that it must be rationed, therefore it appears reasonable that the curtailment of one of the most important sources of edible oil and protein feed for livestock should be at least abandoned for the present, allowing the Southern cotton farmers to contribute to the victory

program by planting and raising the crop which they know how to raise.

11. Your committee recommends that more soya beans be shipped into Texas for crushing, and recommends a hastening of the movement of peanuts to the oil mills, that the acreage to be planted in cotton be raised so that the cotton farmer can produce according to his ability and the kind of soil he has, at least during the period of the war, that the only way that meat and milk can be produced to meet present needs is to permit the farmer to produce what he knows best how to produce and what he is equipped to produce as cotton is one of the most important of the commodities which are necessary to win the war.

We respectfully refer you to the transcript of the evidence which has been printed, and a copy of which has been delivered to each Member of the Senate.

Respectfully submitted,

BROWNLEE, Chairman,
COTTEN,
MAURITZ,
WINFIELD,
GRAVES.

Communication from Hon. Tom Connally

The President laid before the Senate the following communication from Honorable Tom Connally, which was read by the Secretary:

Washington, D. C.,
February 26, 1943.

Hon. John Lee Smith, Lieutenant Governor, State of Texas.

Situation discussed in your wire of deep concern to me and I have been for some time and shall continue making vigorous representations on behalf of protein feed situation in meantime have been informed by Department of Agriculture a limited supply of soybean oil meal has been allocated to Texas to be distributed to trade by Texas USDA War Boards through B. F. Vance, Chairman Texas State USDA War Board, College Station.

TOM CONNALLY.

Reports of Standing Committees

Senator Winfield submitted the following report:

Austin, Texas,
February 25, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office to whom was referred S. B. No. 74, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WINFIELD, Chairman.

Senator Stone submitted the following report:

Austin, Texas,
February 25, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries to whom was referred H. B. No. 260, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

FAIN, Chairman.

Senate Resolution 47

(Address by Hon. Edward T. Haynes)

Senator Martin, by unanimous consent, offered at this time the following resolution:

Whereas, Hon. Edward T. Haynes, prominent attorney of Richmond, Virginia, and former assistant attorney general of that State is now in the city; therefore, be it

Resolved, That he be invited to address the Senate and be given the privileges of the floor for the day.

The resolution was read, and by unanimous consent, it was considered immediately and was adopted.

Accordingly, the President appointed Senators Martin, Formby, and Lemens as a committee to escort Hon. Edward T. Haynes to the President's stand.

The committee performed the duty assigned it, and Senator Martin presented Hon. Edward T. Haynes to the Senate.

Mr. Haynes then addressed the Senate briefly.

Senate Resolution 48

Senator Mauritz offered the following resolution:

Whereas, The Senate has learned of the unfortunate and serious illness which has confined Mrs. Wardlow W. Lane, the wife of our distinguished colleague, the Honorable Wardlow W. Lane, to Seton Infirmary; now, therefore, be it

Resolved, That the Senate of Texas regrets Mrs. Lane's illness and extends sympathy to her and to her family, and wishes for her a speedy and complete recovery; and, be it further

Resolved, That flowers, bearing the card of the Senate, be sent to Mrs. Lane.

MAURITZ.

Signed—Aikin, Beck, Brownlee, Bullock, Chadick, Cotten, Fain, Formby, Graves, Hazlewood, Jones, Kelley, Lanning, Lemens, Lovelady, Martin, Mauritz, Metcalfe, Moffett, Moore, Morris, Ramsey, Shivers, Spears, Stone, Sulak, Vick, Weinert, Winfield, and York.

The resolution was read.

On motion of Senator Brownlee, the names of all Senators were added to the resolution as signers thereof.

The resolution was adopted.

Senate Joint Resolution on First Reading

The following joint resolution was introduced, read first time and referred to the Committee on Constitutional Amendments:

By Senator Moffett:

S. J. R. No. 7, Proposing to amend the Constitution of the State of Texas, by adopting a new Section, which shall provide that the Court of Criminal Appeals of Texas may sit at any time during the year for the transaction of business, and that its term shall begin and end with each calendar year; repealing existing provisions in conflict therewith; providing for the holding of an election; prescribing the form of ballot; directing the Governor to issue the necessary proclamation; and making an appropriation.

Senate Bills on First Reading

The following bills were introduced, read first time, and referred to the committees indicated:

By Senator Moffett:

S. B. No. 233, A bill to be entitled "An Act providing for the issuance of orders of sale of real estate belonging to wards by their guardians and the confirmation thereof by the Probate Courts; providing for reports of sales made by guardians; providing for bonds of guardians and the approval thereof; repealing Article 4201, Title 69, Chapter 8, of the Revised Civil Statutes of Texas, 1925, as amended by Section 1 of Chapter 84, Acts of the Regular Session of the Forty-fourth Legislature; repealing Article 4201a, Title 69, Chapter 8, of the Revised Civil Statutes of Texas, 1925; repealing Article 4216, Title 69, Chapter 8 of the Revised Civil Statutes of Texas, 1925, as amended by Section 1, Chapter 79, Acts of the Regular Session of the Forty-fourth Legislature; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Morris:

S. B. No. 234, A bill to be entitled "An Act to amend Article 2465, Revised Civil Statutes of Texas, 1925, as amended by Acts 1929, Forty-first Legislature, page 4, Chapter 17, Section 1, by Acts 1929, Forty-first Legislature, Second Called Session, page 168, Chapter 185, Section 1, and by Acts 1941, Forty-seventh Legislature, page 1399, Chapter 634, Section 1, so that the Banking Commissioner may adequately examine Credit Unions, providing for the appointment of Credit Union Examiners and the salary and traveling expenses of such Examiners, for the collection of fees therefor and providing for the deposit of said fees with the State Treasurer; and declaring an emergency."

To Committee on Banking.

By Senator Morris:

S. B. No. 235, A bill to be entitled "An Act to amend Article 2484, Revised Civil Statutes of Texas, 1925, as thereafter amended, by Acts of 1929, Forty-first Legislature, Second Called Session, page 165, Chapter 85, Section 1, and by Acts 1937, Forty-

fifth Legislature, page 217, Chapter 117, Section 1, and by Acts 1939, Forty-sixth Legislature, page 221, Section 4, so that Banking Commissioner may, for good cause shown, extend time of filing of reports by Credit Unions for a period of not more than sixty days; and declaring an emergency."

To Committee on Banking.

By Senators Cotten, Aikin, and Lovelady:

S. B. No. 236, A bill to be entitled "An Act amending Subsection (14) of Section 1, Subsection 3 of Section 3, Subsection 1 of Section 5, Subsection 2 of Section 7, Subsections 1, 5, 7, and 8 of Section 8, and Section 10 of S. B. No. 47, Acts of the Forty-fifth Legislature, Regular Session (carrying into effect Section 48a of Article III of the Constitution of Texas, which established a Teacher Retirement System of Texas), as amended by H. B. No. 1016, Acts of the Forty-seventh Legislature, Regular Session (which H. B. No. 1016 amended Sections 1, 5, 6, 7, and 8 of said S. B. No. 47), by changing and adding provisions so as to provide that in time of war and for twelve months thereafter time spent by members of said Retirement System in the Armed Forces of the United States of America, the Armed Forces Reserve, their Auxiliaries, the American Red Cross, or in war work under certain conditions, shall not be constructed as absent from service but shall count towards membership service under the Act; providing that in time of war and for twelve months thereafter members of the Retirement System in Armed Forces of the United States of America, in the Armed Forces Reserve, their Auxiliaries, the American Red Cross, or in work under certain conditions shall be permitted to contribute each year to the Retirement System a sum not to exceed the amount contributed by him during the last year he was employed as a teacher, which sum shall be deposited in the Teacher Saving Fund to the credit of his individual account to be treated in the same manner as funds contributed by him while he was employed as a teacher; providing that a retired member shall be ineligible to be employed as teacher except that retired members who retired August 21, 1942, and prior thereto may teach during present world con-

flict and twelve months thereafter, and providing that if retired teacher is so employed during said time, retirement benefit payments shall be suspended and paid into the State Membership Accumulation Fund until said member leaves said employment permanently, and no deduction shall be made from his salary, and providing that if said retired member elected to receive an annuity in a guaranteed payment for a certain number of years returns to teaching, the time so spent teaching shall count as time within said certain number of years, and providing that retired member who accepts employment as teacher other than as herein outlined shall forfeit all rights, and charging retired members with knowledge of these provisions; providing that a member of the Retirement System from whose salary prior to August 31, 1943, a deduction or deductions have not been made but which should have been made, may elect to pay such sums that should have been deducted and thus receive credit for prior service and membership service or not to pay same and acquire status of beginning teacher as of September 1, 1943; or as of date that member resumes teaching; providing that if payment for the Expense Fund is not made with first payment to the Teacher Saving Fund, the State Board of Trustees may deduct the amount of the payment for the Expense Fund from said first payment; defining 'current interest'; providing under certain conditions for the transfer of certain moneys from the Interest Fund to the Expense Fund, and other funds; providing that a person who shall confiscate, misappropriate, or convert moneys representing deductions from teachers' salaries or who shall knowingly make any false statement, falsify or permit to be falsified any record of the Retirement System shall be guilty of a felony and providing a punishment therefor; providing that any person who violates other provisions of S. B. No. 47, as amended, shall be guilty of a misdemeanor and providing punishment therefor and the cancellation of teachers' certificates therefor; providing that if any provision of this Act shall be held invalid or unconstitutional, the other provisions shall not be affected; and declaring an emergency."

To Committee on Education.

By Senator Metcalfe:

S. B. No. 237, A bill to be entitled "An Act amending Chapter 9, Section 4, of the General Laws of the Second Called Session of the Forty-second Legislature of Texas; changing the time for holding District Court in the Counties of McCulloch, Brown, and Coleman, comprising the 35th Judicial District of Texas; validating all processes issued, bonds and recognizances made and all grand and petit juries drawn for a succeeding term of court before this Act takes effect and making them returnable to the next succeeding term of court in said counties as herein fixed; validating other processes issued and returned; authorizing the Judge of said Court to hold as many sessions of court in any term in any county as he may deem proper; providing for the apportionment of the cost of the salary of the official shorthand reporter of said district; providing for the time of taking effect of this Act; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Fain:

S. B. No. 238, A bill to be entitled "An Act amending Section 1 of H. B. No. 193, Acts, Regular Session, Forty-seventh Legislature, page 480, Chapter 303, so as to clarify the definition of the term 'newspaper'; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Fain:

S. B. No. 239, A bill to be entitled "An Act to encourage prison discipline; authorizing a system of reward for good prison conduct; providing for the commutation of time for good conduct, industry, and obedience and authorizing the General Manager to make such commutation; authorizing twenty (20) days per month deduction from the term or terms of sentences when no charge of misconduct has been sustained against a prisoner; providing that a prisoner under two (2) or more cumulative sentences shall be allowed commutation as if they were all one (1) sentence; providing for the forfeiture of any part or all of the commutation provided in this Act for each sustained charge of misconduct in violation of

any rule known to the prisoner upon recommendation of the Classification Committee and/or the Disciplinary Committee and providing that in case of the escape of a prisoner and he voluntarily returns without expense to the State such forfeiture shall be set aside by the General Manager; providing for and defining the words 'Classification Committee' and 'Disciplinary Committee'; providing that no overtime allowance or credits in addition to the twenty (20) days commutation of time for good conduct may be deducted from the term or terms of sentences except for extra meritorious conduct on the part of the prisoner in which case he shall be recommended to favorable consideration of the Board of Pardons and Paroles and the Governor for increased commutation or pardon; providing that this Act shall not affect prisoners who at the time this Act takes effect are being credited with more than twenty (20) days per month by virtue of overtime job assignments except upon removal from such assignments because of misconduct, escape or return to prison because of any violation or clemency; providing for appeals in cases where prisoners are removed from job assignments by reason of misconduct; providing when present overtime job assignments carrying more than twenty (20) days per month credit are vacated by the present incumbent for any reason said job assignments shall not be renewed for a credit of more than twenty (20) days per calendar month; requiring the General Manager to keep or cause to be kept a conduct record in card or ledger form and a calendar card on each inmate showing all forfeitures of commutation time and the reasons therefor; and providing that as soon as practical the General Manager shall change the conduct records of prisoners now in the penitentiary to conform with said conduct record and calendar card; repealing all laws in conflict with this Act; and declaring an emergency."

To Committee on Penitentiaries.

By Senator Hazlewood:

S. B. No. 240, A bill to be entitled "An Act making it unlawful for any person, firm or corporation to operate a dance hall without a license; defining terms; providing that licenses for Class A dance halls shall be issued

by the county judge; providing that licenses for Class B dance halls shall be obtained from the Administrator of the Liquor Control Board of Texas; providing that all licenses shall terminate one year from the date of issuance unless revoked; providing what shall be set forth in the sworn application for a license; providing that all applications for licenses shall be promptly acted upon; providing that the Act shall not apply to private dances as herein defined; providing that the Act shall not apply to public dance halls or public dances within the corporate limits of any city or town of the State; providing that no public dance shall be permitted and no public dance hall shall remain open or operate between the hours of 1:00 a. m. o'clock and 11:00 a. m. o'clock Central Standard Time of any day; providing that no wines, beer or other intoxicating liquor shall be sold, possessed, consumed or exhibited in any public dance hall between the hours of 11:59 p. m. o'clock Saturday and 1:00 p. m. o'clock Sunday; providing a penalty for any public officer failing to enforce the provisions hereof; prohibiting the loitering of a certain class of people in dance halls; providing the manner of construction of dance halls; providing an appeal to the District Court from an order revoking or cancelling a license to operate a dance hall; providing the way and manner in which the operations of a dance hall may be enjoined as constituting a nuisance; providing that the provisions of this Act shall be cumulative with laws heretofore existing; providing a penalty for the violation thereof; and declaring an emergency."

To Committee on Criminal Jurisprudence.

By Senators Hazlewood and Lemens:

S. B. No. 241, A bill to be entitled "An Act amending Subsection 16 of Article 3832, Revised Civil Statutes of Texas, 1925, as amended by H. B. No. 166, Acts of the Regular Session of the Forty-fourth Legislature, exempting all current wages for personal services from forced sale; providing that such barrier against wages being accessible to strengthen the bargaining power of families in transactions between themselves as debtors and others as creditors shall continue

only as to current wages for personal services of not more than Fifteen (\$15.00) Dollars per week; that if same exceed Fifteen (\$15.00) Dollars per week that ninety (90%) per cent of such excess wages shall be exempt and ten (10%) per cent thereof subject to being reached by law, save garnishment; providing the effective date of the Act; to amend Subsection 5 of present Article 3835 of the Texas Civil Statutes exempting all current wages for personal services from forced sale; providing that such barrier against wages being accessible to strengthen the bargaining power of persons not constituents of a family in transactions between themselves as debtors and others as creditors shall continue only as to current wages for personal services of not more than Fifteen (\$15.00) Dollars per week; that if same exceed Fifteen (\$15.00) Dollars per week that ninety (90%) of such excess wages shall be exempt and ten (10%) per cent thereof subject to being reached by law, save garnishment; providing the effective date of the Act; repealing all Acts inconsistent herewith; providing that the provisions of this Act shall be severable; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senators Hazlewood and Lemens:

S. B. No. 242, A bill to be entitled "An Act to provide proceedings supplementary to ordinary execution unenforced on judgments; authorizing the filing of an affidavit to show that a person, firm, party, corporation, or the Federal or State Government has non-exempt property of a judgment debtor or will be indebted to him from time to time; and thereby requiring a verified list thereof to be filed by such obligor under compulsion; to provide proceedings supplementary to an unsatisfied execution on judgment; authorizing the filing of an affidavit for or plaintiff to show a judgment debtor has property, income, earnings, or profits which said debtor unjustly refuses to apply in payment; and thereby entitling the judgment creditor to a subpoena compelling the debtor to appear personally and make sworn answer concerning such assets; providing that a judgment debtor may be required on hearing

of proceedings supplementary to execution to apply non-exempt assets to satisfaction of a judgment; forbidding transfer of such assets otherwise; fixing a lien on such assets; empowering the enforcement of court orders and decree; providing, except when denial thereof be unconstitutional that remedies supplemental to the execution shall not lie on judgments obtained by a loan agency, industrial bank, or other party exacting more than ten (10%) per cent interest nor when any party is attempting to enforce a deficiency judgment if the collateral security was sold for less than a fair and lawful price; providing the effective date of this Act; repealing all laws inconsistent herewith; providing that the provisions of this Act are severable; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Winfield:

S. B. No. 243, A bill to be entitled "An Act amending Article 3224, Revised Civil Statutes of Texas, 1925, so as to permit idiots and imbeciles who are afflicted with epilepsy to be admitted to the Abilene State Hospital; and declaring an emergency."

To Committee on Departments and Institutions.

Senate Resolution 49

Senator Chadick offered the following resolution:

Whereas, Mr. and Mrs. Marshall Formby, Sr., father and mother of distinguished Member of this body, are visitors in the City of Austin and are now in the Capitol Building; and

Whereas, They are accompanied by Mrs. J. C. Formby, a sister-in-law of Senator Formby; therefore, be it

Resolved by the Senate, That Mr. and Mrs. Marshall Formby Sr., and Mrs. J. C. Formby be extended the privileges of the floor during their visit.

CHADICK.

The resolution was read and was adopted.

Hour for Executive Session Set

At 10:35 o'clock a. m., Senator Brownlee asked that an executive session of the Senate be held on Tues-

day, March 2, 1943, at 11:00 o'clock a. m.

There was no objection offered, and it was so ordered.

Senate Bill 149 on Second Reading

On motion of Senator Jones, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 149, A bill to be entitled "An Act to prohibit the killing, capturing or taking possession of any wild fox in Fannin County for a period of two (2) years from and after the passage of this Act; prescribing a penalty for violation; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

Senate Bill 149 on Third Reading

Senator Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 149 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Bullock	Moffett
Chadick	Moore
Fain	Morris
Formby	Ramsey
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

Absent—Excused

Cotten	Shivers
Kelley	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Joint Resolution 2

Senator Ramsey moved that Senate rule 45 be suspended and that S. J. R. No. 2 be taken up for immediate consideration by the Senate.

The motion prevailed by the following vote:

Yeas—22

Aikin	Lanning
Beck	Lovelady
Brownlee	Martin
Bullock	Mauritz
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Stone
Hazlewood	Sulak
Jones	Weinert
Lane	Winfield

Nays 5

Lemens	Vick
Metcalf	York
Morris	

Absent—Excused

Cotten	Shivers
Kelley	Spears

The President laid before the Senate for consideration at this time:

S. J. R. No. 2, Proposing an amendment to Section 3, Article 24 of the Constitution by providing for a Regular Session of the Legislature, providing for mileage and per diem of the Members of the Legislature; fixing the time for an election therefor; prescribing the form of ballot; providing for proclamation of such election and the advertisement thereof; and making an appropriation therefor.

The resolution was read second time and was passed to engrossment by the following vote:

Yeas—20

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Bullock	Moffett
Chadick	Moore
Fain	Ramsey
Hazlewood	Stone
Jones	Sulak
Lane	Weinert
Lanning	Winfield

Nays—7

Formby	Lemens
Graves	Metcalf

Morris York
Vick

Absent—Excused

Cotten Shivers
Kelley Spears

Message from the House

Hall of the House of Representatives,
Austin, Texas
March 1, 1943.

Hon. John Lee Smith, President of
the Senate

Sir: I am directed by the House to
inform the Senate that the House
has passed the following bills and
adopted the following resolutions:

S. B. No. 4, A bill to be entitled
"An Act to amend Article 4706, Re-
vised Civil Statutes of 1925, as there-
after amended; etc.; and declaring
an emergency."

(With amendments)

H. C. R. No. 48, Providing that
Mrs. Bess Odell Beeman of Austin,
Texas, be accorded the honor and
distinction of continuing to be desig-
nated the Texas Poet of Radio.

S. B. No. 28, A bill to be entitled
"An Act to amend Article 527 of
the Penal Code of Texas so that the
same shall read as hereinafter stated,
and provide that the editing, publish-
ing or dissemination of any news-
paper, pamphlet, magazine or any
printed paper devoted mainly to the
publication of scandals, whoring,
lechery, assignations, intrigues, be-
tween men and women and immoral
conduct of persons, or the possession
or keeping for sale or distribution
or assisting in the sale or distribu-
tion of any such newspaper, pamph-
let, magazine or printed matter, or the
showing of lewd and lascivious mo-
tion pictures, or the showing or ex-
hibition of lewd and lacivious pictures
in penny arcade machines, or the dis-
tribution or sale of indecent objects
or images, shall be a misdemeanor
offense, the penalty for which shall
be confinement in the county jail for
not more than six (6) months or
fined not more than One Thousand
(\$1,000.00) Dollars; etc.; and declaring
an emergency."

S. B. No. 24, A bill to be entitled
"An Act amending Article 6204,
Article 6221, and Article 6227 of the
Revised Civil Statutes of 1925, as
same have been heretofore amended,
providing for the assessment and col-

lection of a tax to pay, and the pay-
ment of pensions to veterans and their
widows, and for the payment of a
mortuary warrant; etc.; and declaring
an emergency."

(With amendments)

S. B. No. 84, A bill to be entitled
"An Act amending S. B. No. 423,
Chapter 571, Acts of the Regular Ses-
sion of the Forty-seventh Legislature
by repealing each, every, and all ap-
propriations and all language and
words contained in this Section of
such bill known as 'Division of In-
take and Certification' which is con-
tained in the appropriation for the
State Department of Public Welfare;
etc.; and declaring an emergency."

S. B. No. 107, A bill to be entitled
"An Act to amend Subdivision 109
of Article 199, Title 8, of the Re-
vised Civil Statutes of Texas, 1925,
so as to change the terms of holding
the 109th District Court in Reeves,
Ward, Winkler, Crane, Andrews, and
Loving Counties, constituting the
109th Judicial District of Texas; etc.;
and declaring an emergency."

H. C. R. No. 50, Requesting return
of H. B. No. 241 from the Governor.

H. B. No. 353, A bill to be entitled
"An Act to amend Subsection 86 of
Article 199, Title 8, of the Revised
Statutes of Texas, 1925, so as to
change the time and terms of holding
the 86th District Court in Kaufman,
Van Zandt and Rockwall Counties,
constituting the 86th Judicial District
of Texas; etc.; and declaring an emer-
gency."

H. C. R. No. 51, Providing for the
appointment of certain committee to
select and designate a Poet Laureate.

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

Conference Committee on Senate Bill 24

Senator Lovelady called S. B. No. 24
from the President's table for con-
sideration of the House amendments
to the bill.

The President laid the bill and
House amendments before the Sen-
ate, and the House amendments were
read.

Senator Lovelady moved that the
Senate do not concur in the House
amendments and that a conference

committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate:

Senators Lovelady, Mauritz, Beck, Metcalfe, and Ramsey.

Senate Bill 135 on Second Reading

Senator Moore moved that the rules prescribing limitations relative to the consideration of bills during the first 60 days of the Regular Session of the Legislature be suspended and that S. B. No. 135 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Bullock	Moffett
Chadick	Moore
Fain	Morris
Formby	Ramsey
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

Absent—Excused

Cotten	Shivers
Kelley	Spears

The President laid before the Senate on its second reading and passage to engrossment.

S. B. No. 135, A bill to be entitled "An Act providing workmen's compensation insurance for members of the Texas Defense Guard defining certain words and terms; authorizing the State Highway Department to insure members of the Texas Defense Guard; providing that the State Highway Department shall administer this Act with the assistance of the Adjutant General's Department; prescribing the powers and duties of the Industrial Accident Board and the State Highway Department and the Adjutant General's Department; adopting by reference certain legislative Acts relating to workmen's

compensation insurance . . . providing the State Highway Department expend any funds appropriated for the payment of all costs, administrative expense, charges, benefits, and awards authorized by this law; providing claimant to mature entire claim under certain circumstances; providing for reports to the Governor and the Legislature; prescribing duties of clerks of courts in compensation cases under this law; prescribing penalty for failure to perform such duties; declaring the provisions of this Act to be severable; providing for an appropriation; providing a savings clause; repealing all laws or parts of laws in conflict herewith to the extent of such conflict; and declaring an emergency."

The bill was read second time.

Senator Moore offered the following amendments to the bill:

(1)

Amend S. B. No. 135 by striking out all of Section 18 and inserting a new Section 18 to read as follows:

"Section 18. This Act shall expire at 12:00 o'clock midnight August 31, 1945, except as to liabilities already incurred under this Act on or before that date. To carry out the provisions of this Act from its effective date until September 1, 1943, there is hereby appropriated to the State Highway Department out of the General Revenue Fund of this State the sum of \$15,000.00."

(2)

Amend S. B. No. 135, Section 2, page 1, Subdivision 6, line 59 of the printed bill by striking out the words, "\$20.00" and adding in lieu thereof, "such wages as would produce a maximum compensation rate of \$20.00 per week. It being the intention of this Section to set the compensation rate to be paid such injured members at a definite and fixed sum of \$20.00 per week."

The amendments were adopted severally.

The bill was passed to engrossment.

Senate Bill 135 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 135 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Bullock	Moffett
Chadick	Moore
Fain	Morris
Formby	Ramsey
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

Absent—Excused

Cotten	Shivers
Kelley	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

Senator Moore offered the following amendment to the bill:

Amend the caption of S. B. No. 135 by inserting immediately after the words, "providing for an appropriation" the words, "providing an expiration date for this Act."

The amendment was adopted unanimously.

The bill was passed by the following vote:

Yeas—27

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Bullock	Moffett
Chadick	Moore
Fain	Morris
Formby	Ramsey
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

Absent—Excused

Cotten	Shivers
Kelley	Spears

Senate Bill 21 on Third Reading

The President laid before the Senate on its third reading and final passage:

S. B. No. 21, A bill to be entitled "An Act to provide that corporations organized without capital stock shall have the right to have their charters extended; naming the conditions under which such extensions will be granted by the Secretary of State; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—21

Beck	Lovelady
Brownlee	Martin
Bullock	Mauritz
Chadick	Metcalfe
Fain	Moffett
Formby	Morris
Graves	Sulak
Hazlewood	Vick
Jones	Winfield
Lanning	York
Lemens	

Nays—6

Aikin	Ramsey
Lane	Stone
Mocre	Weinert

Absent—Excused

Cotten	Shivers
Kelley	Spears

Bills and Resolution Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled resolution and bills:

S. C. R. No. 22, Authorizing correction in enrolled copy of S. B. No. 79.

H. B. No. 145, A bill to be entitled "An Act to amend Subdivision 109 of Article 199, Title 8, of the Revised Statutes of Texas, 1925, so as to change the time and terms of holding the 109th District Court in Reeves, Ward, Winkler, Crane, Andrews, and Loving Counties, constituting the 109th Judicial District of Texas; etc.; and declaring an emergency."

H. B. No. 146, A bill to be entitled "An Act to amend Subdivision 70 of

Article 199, Title 9, of the Revised Statutes of Texas, 1925, as to holding court in Howard, Martin, Midland, Ector, and Glasscock Counties, constituting the 70th Judicial District of Texas; etc.; and declaring an emergency."

H. B. No. 338, A bill to be entitled "An Act making an appropriation of Nineteen Thousand Six Hundred and Twenty-five (\$19,625.00) Dollars to the Cigarette Tax Stamp Board for the purpose of purchasing 175,000,000 additional cigarette tax stamps under an existing contract, between this State and the Steck Company, Austin, Texas; etc.; and declaring an emergency."

H. B. No. 165, A bill to be entitled "An Act to amend Subdivision 33 of Article 199, Title 8, of the Revised Civil Statutes of Texas, 1925, so as to change the length of the terms of District Court and the time of holding the terms of District Court in Gillespie, Mason, Blanco, Menard, San Saba, Llano, and Burnet Counties, constituting the Thirty-third Judicial District of Texas; etc.; and declaring an emergency."

S. B. No. 119, A bill to be entitled "An Act to authorize persons licensed as chauffeurs and seventeen (17) years of age or over to operate motor vehicles used as public or common carriers of persons or school busses during the present war; and declaring an emergency."

S. B. No. 79, A bill to be entitled "An Act to amend Subdivision 85 of Article 199, Title 8, of the Revised Statutes of Texas, 1925, so as to change the time and terms of holding the 85th District Court in Robertson and Brazos Counties, constituting the 85th Judicial District; validating processes issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next term of court in said counties and district, as herein fixed; to validate the summoning of grand and petit juries under this Act; providing for apportionment of reporter's salary; and declaring an emergency."

House Bill on First Reading

The following House bill, received from the House today, was laid before the Senate, read first time, and referred to the committee indicated.

H. B. No. 353, to Committee on Civil Jurisprudence.

Reference of Resolutions

The following concurrent resolutions, received from the House today, were laid before the Senate, read severally, and referred to the committees indicated.

H. C. R. No. 48, to the Committee on Education.

H. C. R. No. 50, to the Committee on Game and Fish.

Senate Joint Resolution 4

Senator Fain moved that Senate rule 45 be suspended and that S. J. R. No. 4 be taken up for immediate consideration.

The motion prevailed by the following vote:

Yeas—22

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Bullock	Moore
Chadick	Morris
Fain	Ramsey
Formby	Shivers
Graves	Sulak
Hazlewood	Vick
Jones	Weinert
Lanning	York

Nays—5

Lane	Moffett
Lemens	Winfield
Metcalf	

Absent—Excused

Cotten	Spears
Kelley	Stone

The President laid before the Senate for consideration at this time:

S. J. R. No. 4, Proposing an amendment to Section 11, Article IV of the Constitution; giving the Governor of the State the power to grant reprieves, commutations of punishment and pardons; requiring him to file his reasons therefor with the Secretary of State; providing for the necessary publication and election; making an appropriation to pay for same.

The resolution was read second time.

Pending consideration of the resolution, Senator Stone occupied the Chair temporarily.

(President in the Chair.)

The Senate refused to pass the resolution to engrossment by the following vote:

Yeas—12

Aikin	Moore
Brownlee	Ramsey
Fain	Stone
Graves	Sulak
Lanning	Vick
Martin	Weinert

Nays—14

Beck	Lemens
Bullock	Lovelady
Chadick	Mauritz
Formby	Metcalfe
Hazlewood	Moffett
Jones	Morris
Lane	Winfield

Absent

York

Absent—Excused

Cotten	Shivers
Kelley	Spears

**Committee Substitute Senate Bill 156
on Second Reading**

Senator Aikin moved to suspend the rules prescribing limitations relative to the consideration of bills during the first 60 days of the Regular Session of the Legislature and that C. S. S. B. No. 156 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Bullock	Moffett
Chadick	Moore
Fain	Morris
Formby	Ramsey
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

Absent—Excused

Cotten	Shivers
Kelley	Spears

The President laid before the Senate on its second reading and passage to engrossment:

C.S.S.B. No. 156, A bill to be entitled "An Act to amend Subsection (14) of Section 2 of S. B. No. 423, Acts of the Forty-seventh Legislature; to amend Subsection (5) of the General Provisions, H. B. No. 272, Acts of the Forty-seventh Legislature; and to amend Section 3 of S. B. No. 402, Acts of the Forty-seventh Legislature, by adding thereto a new Section to be known as Section 3a, to follow Section 3; repealing any provision in S. B. No. 423, H. B. No. 272, or S. B. No. 402 in conflict herewith; repealing Article 419a, Vernon's Texas Statutes, 1936; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Committee Substitute Senate Bill 156
on Third Reading**

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 156 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Bullock	Moffett
Chadick	Moore
Fain	Morris
Formby	Ramsey
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

Absent—Excused

Cotten	Shivers
Kelley	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Brownlee
Beck	Bullock

Chadick	Metcalf
Fain	Moffett
Formby	Moore
Graves	Morris
Hazlewood	Ramsey
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Cotten	Shivers
Kelley	Spears

Bills Signed

The President signed in the presence of the Senate, after giving due notice thereof and their captions had been read, the following enrolled bills:

S. B. No. 28, A bill to be entitled "An Act to amend Article 527 of the Penal Code of Texas so that the same shall read as hereinafter stated, and provide that the editing, publishing or dissemination of any newspaper, pamphlet, magazine or any printed paper devoted mainly to the publication of scandals, whoring, lechery, assignations, intrigues, between men and women and immoral conduct of persons, or the possession or keeping for sale or distribution or assisting in the sale or distribution of any such newspaper, pamphlet, magazine or printed matter, or the showing of lewd and lascivious motion pictures, or the showing or exhibition of lewd and lascivious pictures in penny arcade machines, or the distribution or sale of indecent objects or images, shall be a misdemeanor offense, the penalty for which shall be confinement in the county jail for not more than six (6) months or fined not more than One Thousand (\$1,000.00) Dollars; or by both such fine and imprisonment; and repealing all laws in conflict with this Act insofar as they conflict with this Act; and declaring an emergency."

S. B. No. 84, A bill to be entitled "An Act amending S. B. No. 423, Chapter 571, Acts of the Regular Session of the Forty-seventh Legislature by repealing each, every, and all appropriations and all language and words contained in this Section of such bill known as 'Division of Intake and Certification' which is con-

tained in the appropriation for the State Department of Public Welfare; providing that no further expenditures shall be made by virtue of such appropriation and no warrants shall be issued against such appropriation except for labor or services already performed or indebtedness already incurred; providing for a reduction in the total appropriation for the State Department of Public Welfare; providing a saving clause; and declaring an emergency."

S. B. No. 107, A bill to be entitled "An Act to amend Subdivision 109 of Article 199, Title 8, of the Revised Civil Statutes of Texas, 1925, so as to change the terms of holding the 109th District Court in Reeves, Ward, Winkler, Crane, Andrews, and Loving Counties, constituting the 109th Judicial District of Texas; validating and continuing all processes issued or served before this Act takes effect; including recognizances and bonds, and making them returnable to the next term of court in the summoning of grand and petit juries under this Act; and declaring an emergency."

Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,
March 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Privileges and Elections to whom was referred:

S. B. No. 123, A bill to be entitled "An Act providing for secret ballot, repealing laws in conflict herewith; providing a savings clause, etc.; and declaring an emergency."

Have had the same under consideration, and recommend that the Committee substitute for S. B. No. 123 do pass and be printed.

CHADICK, Chairman.

Austin, Texas,
March 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Privileges and Elections to whom S. B.

No. 192 was referred, have had same under consideration, and recommend that it do pass and be printed.

CHADICK, Chairman.

Senate Bill 4 with House Amendments

Senator Stone called S. B. No. 4 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read, as follows:

(1)

Amend S. B. No. 4, Subsection C by striking out all of the last sentence of said Subsection.

(2)

Amend S. B. No. 4 by striking out all of Subsection (d) of said amended Article 4706, and insert in lieu thereof the following:

"(d) 1. In the stocks, bonds, debentures, bills of exchange or other commercial notes or bills and securities of any solvent dividend paying corporation, incorporated under the laws of this State, or of the United States, or of any State, which has not defaulted in the payment of any of its obligations for a period of five (5) years, immediately preceding the date of the investment; provided such funds may not be invested in the stock of any oil, manufacturing or mercantile corporation organized under the laws of this State, unless such corporation has at the time of investment a net worth of not less than Two Hundred Fifty Thousand (\$250,000.00) Dollars, nor in the stock of any oil, manufacturing or mercantile corporation, not organized under the laws of this State, unless such corporation has a combined capital, surplus and undivided profits of not less than Two Million Five Hundred Thousand (\$2,500,000.00) Dollars.

"2. The surplus funds of such insurance companies may be invested in the stocks, bonds or debentures of any solvent corporation organized under the laws of this State, or of the United States, or of any State.

"3. Notwithstanding any and all provisions of Subdivision 1 and 2 of this Section (4), no such insurance company shall invest any of its funds in its own stock or in any stock on

account of which the holders or owners thereof may, in any event, be or become liable to any assessment, except for taxes."

(3)

Amend the caption to conform to body of bill.

Question—Shall the Senate concur in the House amendments?

Senate Bill 205 on Second Reading

On motion of Senator Hazlewood, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 205, A bill to be entitled "An Act to amend Subsection 69 of Article 199, Title 8, of the Revised Civil Statutes of Texas, 1925, so as to change the time and terms of holding the 69th District Court in Farmer, Deaf Smith, Oldham, Moore, Hartley, Sherman, and Dallam Counties, constituting the 69th Judicial District of Texas; validating and continuing all processes issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next term of Court in said counties and district, as herein fixed, to validate the summoning of grand and petit juries under this Act; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

Senate Bill 205 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended that that S. B. No. 205 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Jones
Beck	Lane
Brownlee	Lanning
Bullock	Lemens
Chadick	Lovelady
Fain	Martin
Formby	Mauritz
Graves	Metcalfe
Hazlewood	Moffett

Morris	Vick
Ramsey	Winfield
Stone	York
Sulak	

Absent

Moore	Weinert
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Absent—Excused

Cotten	Shivers
Kelley	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Bullock	Metcalf
Chadick	Moffett
Fain	Morris
Formby	Ramsey
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Winfield
Lanning	York
Lemens	

Absent

Moore	Weinert
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Absent—Excused

Cotten	Shivers
Kelley	Spears

Senate Bill 206 on Second Reading

On motion of Senator Hazlewood, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 206, A bill to be entitled "An Act to amend Subdivision 84 of Article 199, of the Revised Civil Statutes of Texas, 1925, so as to change the length of the terms of District Court in Carson, Hutchinson, Hansford, Ochiltree, and Hemphill Counties, constituting the 84th Judicial District of Texas; validating and continuing all processes issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next terms of court in said counties and district, as herein fixed; to validate the summoning of grand and petit juries under

the present law so as to render them available in said counties under this Act; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

Senate Bill 206 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 206 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Bullock	Metcalf
Chadick	Moffett
Fain	Morris
Formby	Ramsey
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Winfield
Lanning	York
Lemens	

Absent

Moore	Weinert
-------	---------

Absent—Excused

Cotten	Shivers
Kelley	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Bullock	Metcalf
Chadick	Moffett
Fain	Morris
Formby	Ramsey
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Winfield
Lanning	York
Lemens	

Absent

Moore Weinert

Absent—Excused

Cotten Shivers
Kelley Spears

House Concurrent Resolution 45

The President laid before the Senate:

H. C. R. No. 45, Congratulating Admiral Chester W. Nimitz, on the attainment of his 58th birthday.

The resolution was read, and by unanimous consent, it was considered immediately and was adopted.

The following communication was ordered printed in the Journal:

Communication

Clarksville, Texas,
February 27, 1943.

Members of the Senate of Texas.

Gentlemen: To each of you, we should like to express in our very humble way, our sincere appreciation for the resolution of sympathy for us over the death of our son Harold Bailey. It served the purpose for which it was intended.

It gave us comfort.

Sincerely yours,

MR. AND MRS. H. C.
BAILEY JR., and Son
and Daughter.

Adjournment

Senator Lanning moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed; and the Senate, accordingly, at 12:45 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

TWENTY-SEVENTH DAY

(Tuesday, March 2, 1943)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin Brownlee
Beck Bullock

Chadick	Metcalf
Fain	Moffett
Formby	Moore
Graves	Morris
Hazlewood	Ramsey
Jones	Stone
Kelley	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Shivers was granted leave of absence for today and tomorrow on account of important business, on motion of Senator Weinert.

Senator Lemens was granted leave of absence for today and tomorrow on account of important business, on motion of Senator Mauritz.

Senator Cotten was granted leave of absence for today on account of illness, on motion of Senator Vick.

Reports of Standing Committees

Senator Moffett submitted the following reports:

Austin, Texas,
March 2, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred S. B. No. 199, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Vice Chairman.

Austin, Texas,
March 2, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred S. B. No. 201, have had same under consideration, and I am instructed to report it back to the Senate with the